

Permitting & Assistance Branch Staff Report
Modified Solid Waste Facilities Permit for the
Camp Roberts Landfill
SWIS No. 40-AA-0002
October 20, 2015

Background Information, Analysis, and Findings:

This report was developed in response to the Operator's request for the California Department of Resources Recycling and Recovery (Department) to issue a modified Solid Waste Facilities Permit (SWFP) for Camp Roberts Landfill, Solid Waste Information System (SWIS) No. 40-AA-0002, located in an unincorporated area of San Luis Obispo County, and owned by Office of the Adjutant General, California Army National Guard and operated by California Army National Guard. The Department currently serves as the Enforcement Agency (EA) for San Luis Obispo County. A copy of the proposed SWFP is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The application for a modified SWFP was received on July 31, 2015. Staff completed a review of the permit application package and found the application package to be complete and correct on August 28, 2015. Action must be taken on this permit no later than December 11, 2015. If no action is taken by December 11, 2015, the Department will be deemed to have issued the proposed revised SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (2010)	Proposed Permit
Permitted Area (acres)	Total – 85.4 Disposal – 17.6	Total – 85.4 Disposal – North Unit 4.13; South Unit 9.21

Other Changes include:

1. The submittal of a revised Joint Technical Document (JTD), dated March 2015.
2. Updates to the following sections for the SWFP: "Findings," "Documents," "Self-Monitoring," and "Enforcement Agency Conditions" including the rewording, additions and/or deletions for the purpose of updating and/or clarifying to reflect the proposed changes.

Key Issues

The proposed revised permit will allow for the following:

1. Decrease in permitted disposal footprint.
2. Incorporate a new JTD as the Report of Facility Information.

Background

Camp Roberts Landfill has been operating as a landfill in northern San Luis Obispo County since the 1950's. The facility consists of two units, a North Unit and a South Unit. The North Unit was certified closed in May 2012. The South Unit consists of two cells, one for general municipal solid waste (MSW) and one for special waste. Most of the tonnage accepted consists of material resulting from the demolition of World War II era buildings from Camp Roberts and the nearby Camp San Luis Obispo. This is considered "special waste" because of the levels of lead paint, contaminated soil, and friable asbestos contained in and around those buildings. The Central Coast Regional Water Quality Control Board (RWQCB) has approved of this disposal.

On August 7, 2014, the operator was granted a variance, authorizing the disposal of demolition debris from 88 buildings that Department of Toxic Substances Control (DTSC) has classified as Special Waste into the Landfill. The special waste was considered hazardous in nature. The December 26, 2014, DTSC variance granted the operator the authority to dispose an additional 10 buildings into the special waste cell.

Findings:

Staff recommends concurrence and issuance of the proposed modified SWFP. All of the required submittals and findings required by Title 27 CCR, Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence and issuance. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	Department staff, acting as Enforcement Agency (EA) for San Luis Obispo County, accepted the application package as complete and correct on August 28, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the EA on June 11, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Department staff, acting as EA for San Luis Obispo County, prepared a proposed Solid Waste Facilities Permit on October 12, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	Waste Evaluation & Enforcement Branch (WEEB) in the Jurisdiction Compliance Unit found the facility is identified in the Countywide Siting Element, as described in their memorandum dated October 2, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(5) Preliminary or Final Closure Plan Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Technical Support Section have found the Preliminary Closure and Postclosure Maintenance Plans (Plans) consistent with State Minimum Standards as described in their memorandum dated July 2, 2015. The Plans were approved by Permitting and Assistance Branch staff in a letter dated July 6, 2015	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6) Known or Reasonably Foreseeable Corrective Action Cost Estimate	Engineering Support Branch staff in the Closure and Technical Support Section have found the written estimate to cover the cost of known or reasonable foreseeable corrective action is technically adequate as described in their memorandum dated July 14, 2015. The non-water corrective action cost estimate was approved by Permitting and Assistance Branch staff in a letter dated July 16, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(A) Financial Assurances	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances documentation for closure, postclosure maintenance, and corrective action in compliance as described in their memorandum dated October 13, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(B) Operating Liability Insurance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their memorandum dated October 13, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspection and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on September 22, 2015. See Compliance History section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was not required to be held since this a proposed permit modification, not a new or revised permit. Public Notice was completed consistent with the SWFP requirements. No written comments were received by Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
	CEQA record can be used to support the Branch Chief's action on the proposed modified SWFP.	

Compliance History:

WEEB staff in the Inspection and Enforcement Agency Unit conducted a pre-permit inspection on September 22, 2015, and found the facility to be in compliance with applicable state minimum standards. Below are the details of the facility's compliance history based on the EA's monthly inspection reports during the last five years:

- 2011 - 2015 – No violations were noted.
- 2010 (January - May) – Five consecutive violations of 27 CCR Section 20921 – Gas Monitoring and Control.

The violations were corrected to the satisfaction of the EA.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the California Army National Guard, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The change that will be authorized by the issuance of the proposed permit includes a decrease in permitted disposal footprint. This change is supported by the following environmental document.

The California Army National Guard, acting as Lead Agency, has prepared an Environmental Assessment (EA) to comply with the National Environmental Policy Act (NEPA), in addition to addressing and processing the document as a Negative Declaration (ND) to comply with CEQA. The environmental document, State Clearinghouse No. 2009104002, was circulated for a 30-day review period from October 8, 2009 through November 9, 2009. The Environmental Assessment/Negative Declaration was adopted by the California Army National Guard on April 13, 2010.

CalRecycle staff has determined that the CEQA analysis described above is adequate, and no additional CEQA documentation is required for the proposed modification to the current permit.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the environmental documentation as prepared by the California Army National Guard in that there are no grounds under CEQA for the Department to prepare a

subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed modified SWFP. Department staff has reviewed and considered the CEQA record and recommends the Environmental Assessment/Negative Declaration is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the EA, the proposed modified SWFP and all of its components and supporting documentation, this staff report, the Environmental Assessment/Negative Declaration adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed modified SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. No written comments were received by Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on October 20, 2015. No comments were received by Department staff.